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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,215	11/18/2003	Valerie Kucharewski	06975-472001	2245

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EXAMINER
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HOSSAIN, IBRAHIM M

ART UNIT	PAPER NUMBER
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2145

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/715,215

Applicant(s)

KUCHAREWSKI ET AL.

Examiner

Ibrahim Hossain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 09/07/2004 and 05/27/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,3, 4-6, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated over Bates et al. (6,247,043)

Regarding **claim 1**, Bates discloses a method for enabling management of contacts, the method comprising:

passively recognizing a set of contacts that are, as a group, repeatedly sent communications by a member (Bates, col. 18, lines 55-66);

bringing the member's attention to the recognized set of contacts (Bates, col. 19, lines 9-13 and lines 52-56);

enabling the member to name the set of contacts (prompt the user to input group list Bates, col.19, lines 9-13 and 52-56);

enabling the member to address future communications to the set of contacts through use of the name associated by the member with the set of contacts (Bates, automated message addressing, col. 19, lines 58-67).

Regarding **claim 3**, Bates further discloses passively recognizing the set of contacts comprises:

storing a predetermined number of communications sent by the member (Bates, Fig.5, storing the number of communication, col.9, lines 36-38 and col.11, lines 37-40);

examining the predetermined number of communications sent by the member (Bates, number of messages sent by the local user to the other users, col.11, lines 40-44 and col. 12, lines 3-8);

Identifying a set of contacts that was sent at least a minimum number of communications out of the predetermined number of communications by the member (Bates, col.4, lines 12-26 and col.11, lines 40-44).

Regarding **claim 4**, Bates further discloses enabling the member to accept or to reject the recognized set of contacts brought to the member's attention (Bates, col.18, lines 40-46).

Regarding **claim 5**, Bates further discloses enabling the member to delay a rejected set of contacts from being brought to the member's attention (Bates, Fig.17 (282), col. 20 lines 1-8, when user depress reject all button, none of the user names in

the set of contacts being returned from the dialog box. If user doesn't reject set of contacts (rejected all button), detect block 286 (handle other dialog box events) and then returns control to block 262 to wait for addition events which will enable the member to delay a rejected set of contacts)

Regarding **claim 6**, Bates further discloses enabling the member to assign a unique identifier to the set of contacts (Bates, Fig. 5(78), user name/location ID/Functional ID assign as a unique identifier).

Regarding **Claim 19**, Bates discloses the claim is rejected for the same rationale as claim 1, Supra.

Regarding **claim 20**, Bates discloses is a system for enabling management of contact for performing the method of claim 1. Applicants are invoking 35 U.S.C 112, six paragraph with claim 20 which encompass a system including means for passively recognizing, means for bringing the member's attention, means for enabling the member name, and means for enabling the member to address.

means for passively recognizing a set of contacts that are, as a group, repeatedly sent communications by a member (Bates, col. 18, lines 55-66);

means for bringing the member's attention to the recognized set of contacts (Bates, col. 19, lines 9-13 and lines 52-56);

means for enabling the member to name the set of contacts (prompt the user to input group list Bates, col.19, lines 9-13 and 52-56);

means for enabling the member to address future communications to the set of contacts through use of the name associated by the member with the set of contacts (Bates, automated message addressing, col. 19, lines 58-67).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. (6,247,043) in view of Stimmel (6,678,719)

Regarding **claim 7**, Bates discloses the communications sent to the set of contacts and the future communications (Bates, col. 20, lines 50- col.21, lines 27. Bates fails to disclose the multiple applications. However, Stimmel, in the same field of

endeavor, discloses the multiple applications (Stimmel, Fig. 3A, and col. 3, lines 61- col. 4, line 2).

It would have been obvious to one have ordinary skill in the art at the time of the invention was made to combine the teaching of Stimmel's method to modify in Bates's method. The motivation would have been viewing communication window to communicate with the person and also knows how to contact with that person. Therefore, it would have been obvious to combine Bates and Stimmel to obtain the present invention.

Regarding **claim 8**, Bates-Stimmel further discloses the multiple applications include communications applications (Stimmel, fig. 3A, col.3, lines 61-col.4, lines 2).

Regarding **claim 9**, Bates further discloses the communications applications include an e-mail application (Bates, col.4, lines 12-19) Stimmel in the same field of endeavor, email application and discloses at least one application other than an e-mail application (Stimmel, fig. 3A).

Regarding **claim 10**, Bates-Stimmel further discloses the communications applications include an instant messaging application and at least one application other than an instant messaging application (Stimmel, fig. 3A, col.3, lines 61-col.4, lines 2).

Regarding **claim 11**, Bates-Stimmel further discloses the method wherein the communications applications include a digital image sharing application (i.e. email, telephone, facsimile, instant chat and video conferencing which are image sharing) and at least one application other than a digital image sharing application (Stimmel, Fig.3A Col.3, lines 61-col.4, lines2).

Regarding **claim 12**, Bates-Stimmel further discloses the communications applications include an alerting application that sends alerts and reminders to users and at least one application other than an alerting application that sends alerts and reminders to users (Stimmel, col.1, lines 32-36).

Regarding **claim 13**, Bates-Stimmel further discloses the communications applications include an application for sharing and exchanging contact information and at least one application other than an application for sharing (Stimmel, sharing information by email, Fig.3, col.3, lines 61-col.4, lines2) and exchanging (Stimmel, exchanging information by telephone number, Fig.3A Col.3, lines 61-col.4, lines2) contact information.

Regarding **Claim 14**, Bates-Stimmel further discloses the multiple applications include other sharing applications (Stimmel, fig. 3A, col.3, lines 61-col.4, lines 2).



Regarding **claim 17**, Bates-Stimmel further discloses the other sharing applications include an e-mail filtering application and at least one application other than an e-mail filtering application (Stimmel, browsers for accessing the Internet. An Internet browser translates signals from Internet 16 into pictures and text so that users 28, 30 can see them which is email filtering, col. 3 lines 1-3).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. (6,247,043) in view of Kennedy (6,134,582)

Regarding **claim 2**, Bates discloses storing communication sent by the member (Bates, fig.5, col.9, and lines 36-38); examining the communication sent by the member (Bates, col. 11, lines 40-44); identifying the set of contact that was sent at least a minimum number of communications by the member (Bates, col.4.lines 12-26 and col. 11, lines 40-44). Bates does not specifically disclose a period of time. However, Kennedy, in the same field of endeavor, discloses the period of time (Kennedy, col. 4, lines 9-15).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teaching of Kennedy's method to modify in Bates's method. The motivation would have been optimizing communication with electronic message by storing and examining. Therefore, it would have been obvious to combine Bates and Kennedy to obtain the present invention.

4. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. (6,247,043) – Stimmel (6,678,719) as applied to claim 14 above, and further in view of Kennedy (6,134,582)

Regarding **claim 15**, Bates-Stimmel does not specifically disclose an electronic calendar application. However, Kennedy in the same field of endeavor, discloses electronic calendar application (Kennedy, col.1, lines 25-35 and col.5, lines 21-36)

It would have been obvious to one having ordinary skill in the art will use Kennedy's method to modify in Bates-Stimmel's method. The motivation would have been allowing user to request and schedule meeting and appointments, and make a task management to support current and future message through electronic calendar. Therefore, it would have been obvious to combine Bates-Stimmel and Kennedy to obtain the present invention.

Regarding **claim 16**, Bates-Stimmel does not specifically disclose the electronic journal application. However, Kennedy, in the same field of endeavor, discloses the electronic journal application (Kennedy, col.1, lines 25-35 and col.5, lines 21-36)

It would have been obvious to one having ordinary skill in the art will use Kennedy's method to modify in Bates-Stimmel's method. The motivation would have been to allow user to keep in a track of what they are doing in their daily work place and also can transmit that through electronic journal. Therefore, it would have been obvious to combine Bates-Stimmel and Kennedy to obtain the present invention.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. (6,247,043) – Stimmel (6,678,719) as applied to claim 14 above, and further in view of Fellenstein et al. (7,032,007)

Regarding **claim 18**, Bates-Stimmel does not specifically disclose an application that enables the specification of parental controls over a child account. However, Fellenstein in the same field of endeavor, discloses an application that enables the specification of parental controls over a child account (Fellenstein, col. 6 lines 35-48, Col. 13 lines 20-28)

It would have been obvious to one having ordinary skill in the art will use Fellenstein's method to modify in Bates- Stimmel's method. The motivation would have been to allow parents for controlling over a child account and view the conversation being conducted by their children to make sure that the child is not getting involved with

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predators looking to exploit the innocence of the child. Therefore, it would have been obvious to combine Bates-Hayes and Fellenstein to obtain the present invention.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ibrahim Hossain whose telephone number is 571-272-9593. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

IH  
03/08/2007

  
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